

ORIGINAL

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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JUL 8 1996  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )

Implementation of the Local Competition )  
Provisions in the Telecommunications Act )  
of 1996 )

CC Docket No. 96-98

**PERSONAL COMMUNICATIONS INDUSTRY ASSOCIATION  
SUPPLEMENTAL COMMENTS**

The Personal Communications Industry Association ("PCIA")<sup>1</sup> hereby submits its comments concerning the telecommunications industry model released by the Commission's Industry Analysis Division, Common Carrier Bureau, and Competition Division, Office of General Counsel ("Staff Model").<sup>2</sup> PCIA opposes use of the Staff Model at this time in the above-captioned docket.

<sup>1</sup> PCIA is the international trade association created to represent the interests of both the commercial and the private mobile radio service communications industries. PCIA's Federation of Councils includes: the Paging and Narrowband PCS Alliance, the Broadband PCS Alliance, the Specialized Mobile Radio Alliance, the Site Owners and Managers Association, the Association of Wireless System Integrators, the Association of Communications Technicians, and the Private System Users Alliance. In addition, as the FCC-appointed frequency coordinator for the 450-512 MHz bands in the Business Radio Service, the 800 and 900 MHz Business Pools, the 800 MHz General Category frequencies for Business Eligibles and conventional SMR systems, and the 929 MHz paging frequencies, PCIA represents and serves the interests of tens of thousands of licensees.

<sup>2</sup> See FCC Public Notice, *Supplemental Comment Period Designated for Local Competition Proceeding*, CC Docket 96-98, DA 96-1007, IAD 96-175 (June 20, 1996); FCC News, *FCC Staff Releases Working Copy of an Industry Demand & Supply Simulation Model*, Rpt. No. CC 96-13 (June 17, 1996). Pursuant to FCC Public Notice, *Supplemental Comment Period Extended for Local Competition Proceeding*, CC Docket No. 96-98, DA 96-1030, IAD 96-176 (June 25, 1996), the comment date was extended until July 8, 1996.

604

The Commission released its Notice of Proposed Rulemaking in this docket on April 19, 1996. Comments and reply comments were due on May 16, 1996, and May 30, 1996, respectively. PCIA filed in both rounds, demonstrating that issues involving interconnection between local exchange carriers ("LECS")<sup>3</sup> and CMRS operators are not governed by new Section 251 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996,<sup>4</sup> but instead are encompassed within Section 332(c)(3) of the Communications Act of 1934.

Nonetheless, to the extent the Commission addresses LEC-CMRS interconnection in this docket, use of the Staff Model as a factor in decision-making is inappropriate at this time. To the best of PCIA's knowledge, members of the wireless industry were not consulted during the development of the Staff Model. Moreover, the Model is highly complex and requires substantial resources to interpret and to apply. Many new entrants in the CMRS industry -- and CMRS offerings, especially personal communications service ("PCS"), are expected to compete with local exchange services -- simply do not have the resources to devote to figuring out how to manipulate the Model, let alone run their own simulations.

Moreover, the time available for parties to review the model is simply too short to permit meaningful assessment. PCIA understands that the Commission is

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<sup>3</sup> PCIA also showed that commercial mobile radio service ("CMRS") providers are not LECs.

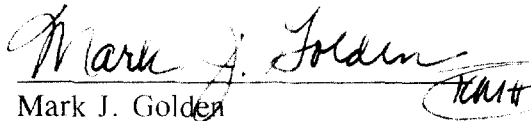
<sup>4</sup> Telecommunications Act of 1996, Publ. L. No. 104-104, 110 Stat. 56.

constrained by statutory deadlines. If anything, the very limited review and comment period underscores the fact that the Commission should not base any action in this docket on a model that has not been fully tested.

The Staff Model eventually may, with further work and industry consultations, be useful to Commission considerations. At this time, however, the Staff Model should play no role in the Commission's decision-making in this docket.

Respectfully submitted,

**PERSONAL COMMUNICATIONS INDUSTRY  
ASSOCIATION**

A handwritten signature in cursive script, reading "Mark J. Golden". To the right of the signature is a circular stamp containing the word "RECEIVED".

Mark J. Golden  
Vice President -- Industry Affairs  
Robert R. Cohen  
Personal Communications  
Industry Association  
500 Montgomery Street, Suite 700  
Alexandria, VA 22314-1561  
(703) 739-0300

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